

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission
On Its Own Motion

Repeal of 83 Ill. Adm. Code 792

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10-0578

ORDER

By the Commission:

The Illinois Commerce Commission ("Commission") adopted 83 Ill. Adm. Code 792, "Imputation," in 1994 under authority of Section 13-505.1 of the Public Utilities Act ("Act") [220 ILCS 5/13-505.1]. In a Staff Report from the Telecommunications Division dated September 20, 2010, the Staff notes that Section 13-505.1 of the Act was repealed by Public Act 96-0927, effective June 15, 2010. Staff recommends that, with the repeal of the underlying statutory authority, repeal of Part 792 is also appropriate. The Commission agrees.

The Commission, having considered the entire record and being fully advised in the premises, is of the opinion and finds that:

- (1) the Commission has jurisdiction over the subject matter herein;
- (2) the Staff Report, dated September 20, 2010, should be filed in this docket and made a part of the record of this proceeding;
- (3) the recitals of fact set forth in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;
- (4) this proceeding is a rulemaking and should be conducted as such;
- (5) the proposed repeal of 83 Ill. Adm. Code 792, as reflected in the attached Appendix, should be submitted to the Secretary of State to begin the first notice period.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the proposed repeal of 83 Ill. Adm. Code 792, as reflected in the attached Appendix, be submitted to the Secretary of State pursuant to Section 5-40 of the Illinois Administrative Procedure Act.

IT IS FURTHER ORDERED that the Staff Report dated September 20, 2010 shall be made a part of the record of this proceeding.

IT IS FURTHER ORDERED that a copy of this Order be sent to all telecommunications carriers under the jurisdiction of the Commission.

IT IS FURTHER ORDERED that this proceeding is a rulemaking and shall be conducted as such and not as a contested case.

IT IS FURTHER ORDERED that this Order is not final; it is not subject to the Administrative Review Law.

By Order of the Commission this 6th day of October, 2010.

(SIGNED) MANUEL FLORES

Acting Chairman